

and 385.214. Pursuant to Section 154.210 of the Commission's regulations, all such motion or protests must be filed not later than 12 days after the date of filing noted above. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Linwood A. Watson, Jr.,

*Acting Secretary.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5341-5]

### Request for Comments: Information Collection Request for the 1996 Metal Products and Machinery—Phase II Survey; Agency Information Collection Activities

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the United States Environmental Protection Agency (EPA) is planning to request approval from the Office of Management and Budget (OMB) to conduct a survey of industries included in the Metal Products and Machinery (MP&M) Phase II industrial categories. These categories are motor vehicles (i.e., automotive industry activities—excluding automotive filling stations), bus & truck, railroad, office machines, household equipment, instruments (i.e., measurement and control instruments), precious metals, and ships & boats. Before submitting the proposed Information Collection Request (ICR) to OMB for review and approval, EPA is soliciting comments from the public on specific aspects of the proposed information collection as described below.

**DATES:** Comments and requests for information must be received by EPA no later than February 12, 1996.

**ADDRESSES:** The public may contact Mr. Mark Ingle at the EPA for a copy of the proposed survey instruments. Mr. Ingle may be reached by mail at U.S. EPA, Engineering and Analysis Division, Mail Code 4303, Office of Science and Technology, 401 M Street SW.,

Washington, DC 20460; or by telephone at (202) 260-7191. The survey instruments will be available as draft documents that include all pertinent instructions, information request questions, and definitions.

**SUPPLEMENTARY INFORMATION:** *Affected Entities:* Entities affected by the proposed survey include industrial activities that manufacture, maintain, or repair metal products and machinery included in the following industry categories: motor vehicles (i.e., automotive industry activities—excluding automotive filling stations), bus & truck, railroad, office machines, household equipment, instruments (i.e., measurement and control instruments), precious metals, and ships & boats. Such entities may be privately owned, or may be owned by the federal government and/or state/local governments. The survey instruments will be sent to entities in these categories, regardless of the ownership status of the parts they are manufacturing, maintaining, or repairing. The survey is intended to identify and collect data from MP&M Phase II industrial sites that generate and discharge process wastewater from unit operations associated with potential water-using industrial activities (selected examples of water-using industrial activities are electroplating, painting, machining, grinding, conversion coating).

In addition to the directly affected entities listed above, the EPA also plans to collect information related to regulatory burden that would be created by implementation of a final MP&M Phase II rule on other federal agencies (e.g., Department of Defense, Department of Energy, etc.), and the state/local governmental authorities responsible for operating the affected publicly owned treatment works. Impacts on these other government entities could include either increased costs to issue additional permits or cost savings realized from using the proposed national standards instead of local pollutant limits.

**Title:** 1996 Metal Products and Machinery Industry—Phase II Survey.

**Abstract:** The survey is intended to collect, from industry and other affected parties, the type of technical and economic information required by EPA to develop effluent limitations guidelines for the Metal Products and Machinery, Phase II industry categories described above. EPA is required under Section 304(m) of the Clean Water Act of 1987 (Federal Water Pollution Control Act, 33 U.S.C. 1314(m)) to promulgate new effluent limitations

guidelines. As the result of a lawsuit by the Natural Resources Defense Council, Inc. (NRDC) and Public Citizen, Inc. (*NRDC et al. v. Reilly*, Civ. No. 89-2980), a Consent Decree was entered by the Court on January 31, 1992 that established the schedule for promulgating numerous effluent limitations guidelines including the MP&M Phase II rule. Thus, EPA is required under a court order stemming from the CWA to promulgate the MP&M Phase II rule. Because this survey will be issued under authority of Section 308 of the Clean Water Act of 1987 (Federal Water Pollution Control Act, U.S.C. Section 1318), responses from data collection survey instrument recipients are mandatory. The survey instruments will be mailed after OMB approves the ICR. The ICR that will be submitted by EPA to OMB will include discussion of the comments EPA has already received to date and the comments received as the result of today's announcement. The proposed survey instruments are a necessary part of the data collection portion of the effluent limitations guidelines development process. The proposed survey instruments will provide EPA with the technical and economic data required to effectively evaluate pollution control technologies and the economic achievability of the final rule. EPA will consider both technical performance and economic achievability (including cost effectiveness analyses of alternative pollution control technologies) when developing the final regulations.

**Burden Statement:** The proposed survey instruments were developed by improving upon the MP&M Phase I survey in such a manner as to reduce burden and improve clarity. EPA has already conducted an outreach program to industry and other government entities with the objective of minimizing reporting burden. The outreach program included distribution of draft survey instruments to industry and governmental associations, outreach to community groups, and direct presentations at meetings. The following are the industry/government associations already contacted as part of the EPA outreach program: Air Conditioning and Refrigeration Institute, American Ambulance Association, American Automotive Manufacturers Association, American Bus Association, American Electronics Association, American Electroplaters and Surface Finishers Society, American Furniture Manufacturing Association, American Public Transit Association, American Short Line Railroad Association, American Trucking Association,

American Watch Association, Association Council of the National Association of Manufacturers, Association for the Advancement of Medical Instruments, Association of American Railroads, Association of International Automotive Manufacturers, Association of Home Appliance Manufacturers, Association of Metropolitan Sewerage Agencies, Automotive Service Association, Citizens for a Better Environment, Clock Manufacturers and Marketing Association, Community Transportation Association of America, Computer and Communication Industry Association, Dental Manufacturers of America, Electronic Industries Association, Environmental Defense Fund, Friends of the Earth, Gold & Silver Institute, Health Industry Manufacturers Association, Information Technology Industry Council, International Precious Metals Institute, Manufacturing Jewelers & Silversmiths of America, Motor & Equipment Manufacturers Association, National Coalition of Advanced Manufacturing, National Association of Metal Finishers, National Shipbuilding Research Program, Natural Resources Defense Council, Railway Progress Institute, Scientific Apparatus Manufacturers Association, Silver Coalition, Silver Users Association, Sierra Club, Sporting Goods Manufacturers Association, The Jewelry Manufacturers Guild, Truck Renting and Leasing Association, United Bus Owners of America, United Auto Workers Union—Health and Safety Department. Based on comments already received as the result of these outreach activities, the proposed MP&M Phase II industry survey instruments will be made up of a brief screener and a more detailed questionnaire. This two-phase survey will allow burden on industrial facilities to be related to process wastewater flow and pollutant discharges such that facilities discharging less than 1,000,000 gallons per year of process wastewater will have less reporting burden than facilities discharging larger volumes of process wastewater. Finally, EPA will maintain a temporary, no-charge telephone number that survey recipients may call to obtain assistance in completing the data collection surveys. EPA believes that the no-charge telephone number will greatly reduce burden by helping recipients to answer specific questions within the context of their individual operations. To minimize burden on federal, state, and local governments that may operate MP&M-Phase-II-type facilities, survey instruments for these specific government entities that reflect

the unique nature of government economic accounting have been developed. Similar survey instruments that discuss potential burden issues on other government entities such as wastewater treatment plant operators have also been developed. Current burden estimates, based on an analysis of the MP&M Phase I survey responses and comments provided by trade associations on the proposed MP&M Phase II survey instruments are based on the type and number of surveys that will be distributed. The following summarizes these burden estimates:

1. The total estimated burden on industry to respond to the data collection surveys is estimated to be 59,540 hours. This burden is based on industry completing approximately 5,000 surveys. Of these 5,000 surveys, 4,620 will be the simple, one-page screeners that are estimated to require only one hour to complete (i.e., the average time required by all recipients to complete the survey will be one hour; with many recipients requiring only a few minutes to complete the screener, while large firms may require a few hours to collect the required data). The remaining 380 recipients (i.e., the larger industrial wastewater dischargers) will receive larger, more comprehensive surveys that will take up to approximately 154 hours to complete. The burden estimates for these larger facilities are based on approximately 100 sites requiring approximately 118 hours to complete the survey and 280 of the largest discharging facilities requiring 154 hours to complete the survey.

2. The total burden estimate on municipalities, DoD, DoE, and other government entities is expected to be 3,400 hours with approximately 50 government entities having to complete surveys. EPA estimates that these other government entities will require an average of 68 hours to complete the surveys (i.e., the amount of time municipalities will require to complete the surveys will range from 1 hour to 136 hours with 68 hours being an average estimated amount of time).

3. The total burden estimate on POTWs and other entities that will implement the MP&M Phase II rules is estimated to be 5,500 hours with approximately 250 POTWs completing the data collection surveys and each respondent requiring an average of 22 hours to complete the survey. Estimates for the time required to complete these surveys ranges from 4 to 40 hours for each survey respondent.

Thus, the total national burden estimate for all parts of this data collection is 68,440 hours.

Given that EPA needs to collect data regarding both costs and benefits associated with environmental rules, EPA is interested in any suggestions industry or the public may have regarding means of reducing the data collection burden. Any burden reduction suggestions must consider the need to collect information on the pollutants being discharged by the industries, the processes that generate the pollutants, the economic achievability of the proposed regulations, and the economic benefits derived from reducing pollution in our oceans, lakes, rivers, and streams. Please send any suggestions for reducing burden to Mr. Mark Ingle, U.S. EPA, Engineering and Analysis Division, Mail Code 4303, Office of Science and Technology, 401 M Street, S.W., Washington, DC 20460.

Dated: November 14, 1995.

Tudor T. Davies,

*Director, Office of Science and Technology.*

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[FRL-5344-5]

## XL Community Pilot Program

**SUMMARY:** This document responds to President Clinton's March 16, 1995 initiatives listed in the report, *Reinventing Environmental Regulation*. In the report, EPA committed to implementing pilot programs to develop innovative alternatives to the current environmental management system. These programs will give a limited number of regulated entities and communities an opportunity to demonstrate excellence and leadership in environmental protection. These reinvention pilot programs, entitled Project XL, will focus on four areas: facilities, industry sectors, federal government agencies, and communities. This Federal Register Notice addresses the XL Community Pilot Program and is a solicitation for pilot project proposals and comments on all aspects of the XL Community Pilot Program. An earlier Federal Register Notice published on May 23, 1995 (60 FR 27282) discusses the XL pilot programs for facilities, industry sectors, and Federal government agencies.

Today, EPA is announcing the XL Community Pilot Program to join with local governments, communities, states, federal recognized tribes, and others to conduct a limited number of pilot projects that demonstrate and assess the merits of community-designed and directed strategies for achieving greater environmental quality and sustainable